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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/652,207	09/02/2003	Tomohiro Ikeda	Q77255	1709
23373	7590	11/25/2005	EXAMINER	
SUGHRUE MION, PLLC 2100 PENNSYLVANIA AVENUE, N.W. SUITE 800 WASHINGTON, DC 20037			FIGUEROA, FELIX O	
			ART UNIT	PAPER NUMBER
			2833	

DATE MAILED: 11/25/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)
	10/652,207	IKEDA ET AL. 
	Examiner	Art Unit
	Felix O. Figueroa	2833

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

1) Responsive to communication(s) filed on 06 October 2005.  
 2a) This action is FINAL. 2b) This action is non-final.  
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

4) Claim(s) 1-12 is/are pending in the application.  
 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
 5) Claim(s) \_\_\_\_\_ is/are allowed.  
 6) Claim(s) 1-10 is/are rejected.  
 7) Claim(s) 11 and 12 is/are objected to.  
 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

9) The specification is objected to by the Examiner.  
 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
 a) All b) Some \* c) None of:  
 1. Certified copies of the priority documents have been received.  
 2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

1) <input type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____	6) <input type="checkbox"/> Other: _____

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ikeda (US 6,346,011) in view of Takahashi et al. (US 6,206,718).

Ikeda discloses a battery connecting plate comprising: a plate body (P<sub>1</sub>), disposed on a plurality of arrayed batteries; a first terminal (18), provided with a first portion (at 18a) which is connected to one of the batteries, and a second portion (19) which is connected to an electronic element (21); and a cover member (P<sub>0</sub>, 32,49), attached onto the plate body in a first direction, to provisionally fix the first terminal on the plate body. Ikeda discloses substantially the claimed invention except for the tolerance compensator.

Takahashi teaches the use of tolerance compensator (51) between two connecting portions to reduce stress between the connecting portions (see abstract). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to form the terminal of Ikeda with a tolerance compensator connecting the first portion and the second portion while compensating a positional difference between the second portion and a predetermined position of the second

portion in the first direction, as taught by Takahashi, to reduce stress between the first and second portions.

Regarding claim 2, Ikeda, as modified by Takahashi, discloses the first terminal comprises a terminal body and a flexible leg portion extended from the terminal body to serve as the tolerance compensator.

Regarding claim 3, Ikeda, as modified by Takahashi, discloses the terminal body is provided with the first portion, and the flexible leg portion is provided with the second portion.

Regarding claim 4, Ikeda discloses a second terminal (19a/20), to which the first terminal is electrically connected via the electronic element.

Regarding claim 5, Ikeda discloses the cover member comprises: a first cover (32), which is disposed on the plate body to provide a predetermined position relative to the plate body at which the second portion of the first terminal is placed, and a second cover (49), which is attached onto the first cover in the first direction to provisionally fix the flexible leg portion between the first cover and the second cover.

Regarding claims 6 and 7, Ikeda discloses the plate body being formed (after it is molded) with a first stopper and a second stopper, which restricts a movement of the cover member in the first direction and a second direction.

Regarding claim 8, Ikeda discloses the first terminal, the second terminal and the electronic element being electrically connected by soldering.

Regarding claim 9, Ikeda discloses a fixation member (18a), which fixes the first portion of the first terminal to the one of the batteries.

Regarding claim 10, Ikeda discloses the electronic element is an over-current protector resister (i.e. fuse) provided in accordance with a maximum output voltage of the one of the batteries.

***Allowable Subject Matter***

Claims 11 and 12 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

***Response to Arguments***

Applicant's arguments filed 10/06/05 have been fully considered but they are not persuasive.

In response to Applicant's arguments that because of the insert-molded structure of Ikeda, a tolerance compensator that compensates a positional difference between the second portion and a predetermined position of the second portion in the first direction, cannot be provided to contact portion 18 of Ikeda, please note that the second part (19) is not fixed inside the insert-molded construction, thus a tolerance compensator provided between the first portion and the second portion is not prevented by the fact that the first portion is fixed to the insert molded construction.

***Conclusion***

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Felix O. Figueroa whose telephone number is (571) 272-2003. The examiner can normally be reached on Mon.-Fri., 10:00am-6:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paula A. Bradley can be reached on (571) 272-2800 Ext. 33. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
THO D. TA  
PRIMARY EXAMINER

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